

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE NORTHERN DISTRICT GEORGIA  
ATLANTA DIVISION**

JUSTIN SAMRA and HEALFAST, INC.,

**Plaintiffs,**

-- against --

FORTITUDE HEALTH, LLC,

**Defendant,**

UPS INTERNATIONAL,

**Third-Party Deponent.**

Case No. \_\_\_\_\_

FORTITUDE HEALTH, LLC'S  
MOTION TO COMPEL  
PRODUCTION OF DOCUMENTS  
RESPONSES AND SUBPOENA

**FORTITUDE HEALTH, LLC'S MOTION TO COMPEL PRODUCTION OF  
DOCUMENTS ON THIRD-PARTY DEPONENT UPS INTERNATIONAL.**

Defendant Fortitude Health, LLC (hereafter "Fortitude"), by and through its undersigned counsel, moves this Court for an order compelling non-party UPS International (hereafter "UPS"), to comply with its subpoena for the production of documents dated July 6, 2023, and/or to show cause why the non-party UPS International should not be held in contempt for failing to comply with the subpoena and for an award of sanctions, costs and attorney fees incurred by Fortitude in seeking enforcement of the subpoena pursuant to Fed. R. Civ. P. 34(c) and Fed. R. Civ. P. 45(g).

**I. STATEMENT OF FACTS**

1.

Fortitude is the defendant in a trademark infringement action captioned *Samra et al v. Fortitude Health, LLC*, 2:22-CV-592(JMA)(ARL) in the United States District Court for the Eastern District of New York (the "New York Action").



2.

On July 6, 2023, counsel for Fortitude, the Law Offices of Michael D. Steger, P.C., issued a notice of Subpoena to Produce Documents, Information, or Objects (the “Subpoena”) in a Civil Action for third party deponent UPS International on counsel for Plaintiffs Justin Samra and Healfast, Inc., and informed Plaintiffs of its intent to serve the same. Declaration of Megan J. Abner, ¶ 4-5. A true and correct copy of the Subpoena is incorporated herein and attached hereto as Exhibit “A” and a true and correct copy of Fortitude’s email notice of the Subpoena to Plaintiffs’ counsel is incorporated herein and attached hereto as Exhibit “B”.

3.

UPS has waived its objections to the Subpoena due to its failure to timely serve any such objections.

4.

On July 17, 2023, counsel for Fortitude served the Subpoena on UPS at c/o CSC of Cobb County, Inc. at 192 Anderson Street SE, Ste 125, Marietta, Georgia 30060, the address as UPS’ registered agent with the Georgia Secretary of State. *Id.*, ¶ 6-7. A true and correct copy of UPS’ registered agent’s mailing address with the Georgia Secretary of State is incorporated herein and attached hereto as Exhibit “C”.

5.

UPS cannot legitimately dispute that it received the Subpoena based upon: (1) the sworn affidavit of Fortitude’s process server; and (2) UPS’ counsel’s acknowledgement of the subpoena. A true and correct copy of the process server’s affidavit is incorporated herein and attached hereto as Exhibit “D”.



6.

The Subpoena contained a return date of August 2, 2023, at 9:00 AM at the offices of Richard C. Wayne & Associates, 100 Hammond Drive, Atlanta, GA 30328.

7.

The Subpoena's August 2, 2023, return date came and went without any response from UPS, substantive or otherwise.

8.

On August 8, 2023, Fortitude contacted UPS' Deputy General Counsel Emily Johnson in order to inquire about the status of UPS' subpoena response. *Id.*, ¶ 10. A true and correct copy of the email to Deputy General Counsel Emily Johnson is incorporated herein and attached hereto as Exhibit "E". One day later, Fortitude's counsel received a phone call from Johnathan Peak, stating that his law firm Weinberg Wheeler Hudgins Gunn & Dial, LLC represented UPS regarding the subpoena. *Id.*, ¶ 11.

9.

On August 11, 2023, a series of email communications occurred between counsel for Fortitude and UPS, and Fortitude supplied UPS with a courtesy digital copy of the subpoena and affidavit of service. *Id.*, ¶ 12. Multiple emails were exchanged in order to find a time for the parties to discuss the subpoena. A true and correct copy of the emails back and forth between Defendant's counsel and Jonathan Peak are incorporated herein and attached hereto as Exhibit "F". Ultimately, a telephone meeting never occurred and Mr. Peak stopped responding to Fortitude's inquiries.



10.

Despite defense counsel's multiple emails and phone calls to Mr. Peak, Mr. Peak stopped responding entirely on August 24, 2023. Fortitude never received any substantive response to its subpoena or an indication as to whether UPS intended to comply.

11.

As of the date of this Motion, UPS has failed to (a) produce the requested documents, (b) contact Fortitude's counsel to make arrangements for the production of the requested documents, (c) advise defense counsel that it is unable to comply with some or all the requests, and/or (d) object to Fortitude's production requests.

12.

The documents Fortitude seeks from UPS are relevant to this case and, to the best of Fortitude's knowledge, are not privileged. UPS' shipping records for Plaintiffs are highly relevant to Fortitude's counterclaims. The documents being sought from the Non-Parties relate to Plaintiff's infringement of Fortitude's trademarks, namely Plaintiffs' importation of the infringing goods through UPS and their ultimate sale thereof.

## **II. ARGUMENT AND CITATION TO AUTHORITY**

Fed. R. Civ. P. 34(c) provides that as provided in Fed. R. Civ. P. 45, a nonparty may be compelled to produce documents and tangible things or to permit an inspection. Rule 45 requires a party served with a subpoena to file any objections to the subpoena in writing within the time specified for compliance. Fed. R. Civ. P. 45(d)((2)(B). Fortitude has received no objections from or on behalf of UPS as of the date of this motion to the subpoena delivered to UPS requesting compliance by August 2, 2023. As a general rule, the failure to serve written objections to a subpoena within the time specified by Fed. R. Civ. P. 45(d)(2)(B) constitutes a waiver of any



objections. *City of Sandy Springs v. Granite Re, Inc.*, No. 22-CV-173, 2022 U.S. Dist. LEXIS 232640, \*2, (N.D. Ga. Sep. 7, 2022).

Fed. R. Civ. P. 45(g) provides the remedy for the failure of a non-party to respond to a subpoena without a reasonable excuse. This subrule provides that the issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it. This remedy can, and should, include Fortitude's attorney's fees incurred in connection with compelling UPS' response to the subpoena. This is particularly appropriate in this case, as UPS has set forth no grounds for its failure to comply with the subpoena.

Pursuant to Fed. R. Civ. P. 45(a)(4), notice and copies of the subject subpoena were served on counsel for Plaintiffs prior to being served on non-party UPS. Defendant received no objections to the subpoena from opposing counsel. Discovery in the New York Action is currently scheduled to close on October 13, 2023. Thus, time is of the essence.

### **III. CONCLUSION**

**THEREFORE**, for all the above-stated reasons, Fortitude respectfully requests that this Court (1) order UPS to either comply with subpoena for the production of documents dated July 6, 2023, by a date certain and/or to appear before the Court at a date and time to be set by the Court to show cause why they should not be held in contempt for failing to comply with Fortitude's subpoena and (2) award Fortitude costs and attorney fees incurred in seeking enforcement of the subject subpoena and/or order sanctions against UPS for failing to comply with the subpoena pursuant to Fed. R. Civ. P. 34(c) and Fed. R. Civ. P. 45(g).

Respectfully submitted, this 6<sup>th</sup> day of September, 2023.

[Signature of counsel on the following page.]



RICHARD C. WAYNE & ASSOCIATES, P.C.

/s/ Matthew J. Tokajer

Matthew J. Tokajer

Georgia Bar No. 482394

*Local Counsel for Defendant*

100 Hammond Drive  
Atlanta, Georgia 30328  
Telephone: (404) 231-1444  
Facsimile: (404) 231-1666  
[matt@rwaynelaw.com](mailto:matt@rwaynelaw.com)



**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE NORTHERN DISTRICT GEORGIA  
ATLANTA DIVISION**

JUSTIN SAMRA and HEALFAST, INC.,

**Plaintiffs,**

-- against --

FORTITUDE HEALTH, LLC,

**Defendant,**

UPS INTERNATIONAL,

**Third-Party Deponent.**

Case No. \_\_\_\_\_

FORTITUDE HEALTH, LLC'S  
MOTION TO COMPEL  
PRODUCTION OF DOCUMENTS  
RESPONSES AND SUBPOENA

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he has served UPS International with a copy of **Defendant's Motion to Compel Third-Party Deponent UPS' Compliance with Subpoena to Third-Party Deponent UPS International** via e-mail and U.S. First Class Mail in a properly addressed envelope with adequate postage thereon, addressed as follows, to the following attorney of record:

Mr. Jonathan R. Peak, Esq.  
Weinberg Wheeler Hudgins Gunn & Dial  
3344 Peachtree Road NE, Suite 2400  
Atlanta, GA 30326  
[JPeak@wwhgd.com](mailto:JPeak@wwhgd.com)

Respectfully submitted this 6<sup>th</sup> day of September, 2023.

*/s/ Matthew J. Tokajer*  
Matthew J. Tokajer, Esq.  
Georgia Bar No.: 482394  
*Local Counsel for Defendant*

Richard C. Wayne & Associates, P.C.  
100 Hammond Dr.  
Atlanta, Georgia 30328



Telephone: (404) 231-1444  
Facsimile: (404) 231-1666  
[matt@rwaynelaw.com](mailto:matt@rwaynelaw.com)



# **Exhibit A**



## UNITED STATES DISTRICT COURT

for the

Eastern District of New York



JUSTIN SAMRA and HEALFAST, INC.

*Plaintiff*MICHAEL MARENICK and FORTITUDE HEALTH,  
LLC,*Defendant*

Civil Action No. 2:22-cv-592-JMA-ARL

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To:

UPS International  
55 Glenlake Pkwy. NE  
Atlanta, GA 30328*(Name of person to whom this subpoena is directed)*

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: Documents set out in "Attached Exhibit A"

Place: Richard C. Wayne & Associates  
100 Hammond Drive  
Atlanta, GA 30328

Date and Time:

08/02/2023 9:00 am

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: July 6, 2023

CLERK OF COURT

OR

*Michael D. Steger**Signature of Clerk or Deputy Clerk**Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* \_\_\_\_\_, who issues or requests this subpoena, are:

## Notice to the person who issues or requests this subpoena

A notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).



Civil Action No. 2:22-cv-592-JMA-ARL

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_.

☐ I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
 tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
 \$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
 \_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:



**EXHIBIT A**

**DOCUMENTS REQUESTED**

All of the following are for Healfast Inc.'s "100% Silicone Scar Gel (medical-grade)", including but not limited to products bearing UPC Code 865402000467 (the "Goods").

1. All documents which constitute, show or reflect all United States Customs forms or other information that make reference to the importation of the Goods, including but not limited to Forms 7501 and 3461, from January 1, 2021 to the present.
2. All documents which constitute, show or reflect all shipping activity, including, without limitation, freight documents, bills of sale, bills of lading, etc. that make reference to the shipping or other transportation by or to your company of the Goods from January 1, 2021 to the present.
3. All documents which constitute, show or reflect all other forms or other information your company was required to complete and maintain by the United States government relating to the importation of the Goods from January 1, 2021 to the present.
4. All vendor packing lists or other packing lists showing the contents of any shipments including the Goods from January 1, 2021 to the present.
5. All documents received from customs brokers relating to the Goods from January 1, 2021 to the present.
6. All delivery orders, confirmations and other documents not included in No. 2, above, that reflect the shipment of and delivery to your company of the Goods from January 1, 2021 to the present.
7. Documents sufficient to show the calculation and payment of all tariffs or customs duties on the Goods from January 1, 2021 to the present.



# **Exhibit B**



LAW OFFICES OF  
MICHAEL D. STEGER, PC

Megan Abner <mabner@steger-law.com>

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**Samra v. Fortitude, et al.**

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**From:** Michael D. Steger <msteger@steger-law.com>  
**Sent:** Thursday, July 6, 2023 6:05 PM  
**To:** 'Serge Krimnus' <serge@bochnerip.com>  
**Cc:** 'John Rossler' <john@bochnerip.com>; 'Abby Washburn' <abby@bochnerip.com>; 'Andrew Bochner' <andrew@bochnerip.com>  
**Subject:** Samra v. Fortitude, et al.

Please see the attached notices of subpoenas.

Sincerely yours,

Mike Steger

Law Offices of Michael D. Steger, PC

295 Madison Avenue, 22<sup>nd</sup> Floor

New York, NY 10017

(646) 517-0600

30 Ramland Road, Suite 201

Orangeburg, NY 10962

(845) 359-4600

(845) 638-2707 (fax)

msteger@steger-law.com

www.steger-law.com

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**4 attachments**

 **Subpoena w. notice WJ Enterprise 7.6.23.pdf**  
433K





**Subpoena w.notice Three Guys Trucking 7.6.23.pdf**  
454K



**Subpoena w.notice West Fast Line 7.6.23.pdf**  
432K



**Subpoena w.notice UPS 7.6.23.pdf**  
433K



# **Exhibit C**





GEORGIA  
CORPORATIONS  
DIVISION

GEORGIA SECRETARY OF STATE  
**BRAD**  
**RAFFENSPERGER**

[HOME \(/\)](#)

## BUSINESS SEARCH

### BUSINESS INFORMATION

Business Name: **UPS INTERNATIONAL  
GENERAL SERVICES CO.** Control Number: **0346231**

Business Type: **Foreign Profit  
Corporation** Business Status: **Active/Compliance**

Business Purpose: **NONE**

Principal Office Address: **55 GLENLAKE  
PARKWAY, NE,  
ATLANTA, GA, 30328,  
USA** Date of Formation /  
Registration Date: **8/18/2003**

Jurisdiction: **Delaware** Last Annual Registration  
Year: **2023**

### REGISTERED AGENT INFORMATION

Registered Agent Name: **CSC of Cobb County, Inc.**

Physical Address: **192 Anderson Street SE, Suite 125, Marietta, GA, 30060, USA**

County: **Cobb**

### OFFICER INFORMATION

Name	Title	Business Address
Brian O. Newman	CFO	55 GLENLAKE PARKWAY NE, ATLANTA, GA, 30328, USA
Norman M. Brothers, Jr.	Secretary	55 GLENLAKE PARKWAY, NE, ATLANTA, GA, 30328, USA
Not Appointed	CEO	55 GLENLAKE PARKWAY, NE, ATLANTA, GA, 30328, USA

[Back](#)

[Filing History](#)

[Name History](#)

[Return to Business Search](#)

Office of the Georgia Secretary of State Attn: 2 MLK, Jr. Dr. Suite 313, Floyd West Tower Atlanta, GA 30334-1530,  
Phone: (404) 656-2817 Toll-free: (844) 753-7825, WEBSITE: <https://sos.ga.gov/>

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# **Exhibit D**





P9620188

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Plaintiff

JUSTIN SAMRA, ET AL

INDEX #: 2:22-CV-592-JMA-ARL

Defendant

MICHAEL MARENICK, ET AL

**AFFIDAVIT**

**COMES NOW**, CHRISTOPHER STANTON who, being duly sworn, deposes, and states under oath as follows:

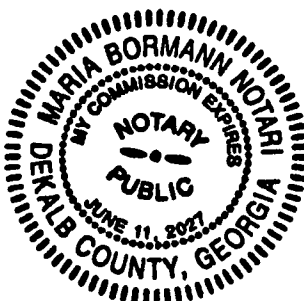
I am a resident of the State of Georgia, a United States citizen, and over eighteen (18) years of age. I am not a convicted felon. I have no financial interest nor am I related to any of the parties. I am competent to give this Affidavit and hereby state that the following Affidavit is true and correct to the best of my knowledge.

I served UPS INTERNATIONAL on 7/17/23 at 11:50 a.m. c/o CSC of COBB COUNTY, INC. 192 ANDERSON STREET SE, STE 125, MARIETTA, GA 30060. Terri Thompson accepted service, Process Coordinator accepted service, W, F, 50s, 5'4 150, Brown hair, Glasses

Documents: SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION, EXHIBIT "A"

Subscribed and sworn to before me,  
This 22 day of July 2023  
Notary Public.

Christopher Stanton



9620188



# **Exhibit E**



LAW OFFICES OF  
MICHAEL D. STEGER, PC

Megan Abner <mabner@steger-law.com>

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## Subpoena to UPS re Samra et al v. Fortitude Health, LLC, no. 2:22-cv-592 (EDNY)

1 message

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**Megan Abner** <mabner@steger-law.com>  
To: emilyjohnson@ups.com  
Cc: "Michael D. Steger" <msteger@steger-law.com>

Tue, Aug 8, 2023 at 4:16 PM

Dear Ms. Johnson,

I hope this email finds you well. My name is Megan Abner, and I am an attorney at The Law Offices of Michael D. Steger, PC. On July 17, 2023, we served UPS with the attached subpoena with a return date of August 2, 2023. We are now writing to confirm whether UPS intends to comply with the subpoena and produce the information requested.

We are happy to discuss this matter further with you should you have any questions. Thank you very much.

Sincerely,

Meg Abner

Law Offices of Michael D. Steger, PC

295 Madison Avenue, 22<sup>nd</sup> Floor

New York, NY 10017  
(646) 517-0600

30 Ramland Road, Suite 201

Orangeburg, NY 10962  
(845) 359-4600

(845) 638-2707 (fax)

[mabner@steger-law.com](mailto:mabner@steger-law.com)

[www.steger-law.com](http://www.steger-law.com)

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### 2 attachments



**Lexitas\_Affidavit\_9620188.pdf**  
38K



**Fortitude Health UPS Subpoena 7.17.23.pdf**  
402K



# **Exhibit F**



LAW OFFICES OF  
MICHAEL D. STEGER, PC

Megan Abner <mabner@steger-law.com>

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## Fortitude Health/UPS

6 messages

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**Michael D. Steger** <msteger@steger-law.com>  
To: jpeak@wwhgd.com  
Cc: Megan Abner <mabner@steger-law.com>

Fri, Aug 11, 2023 at 11:53 AM

Mr. Peak,

We received your message on Wednesday. Meg has been traveling but she should be able to get back to you this afternoon. I am adding everyone to an email thread to help coordinate communications.

Thanks,

Mike Steger

Law Offices of Michael D. Steger, PC

[295 Madison Avenue](#), 22<sup>nd</sup> Floor

New York, NY 10017

(646) 517-0600

[30 Ramland Road, Suite 201](#)

[Orangeburg, NY 10962](#)

(845) 359-4600

(845) 638-2707 (fax)

[msteger@steger-law.com](mailto:msteger@steger-law.com)

[www.steger-law.com](http://www.steger-law.com)

---

**Megan Abner** <mabner@steger-law.com>  
To: jpeak@wwhgd.com  
Cc: "Michael D. Steger" <msteger@steger-law.com>

Fri, Aug 11, 2023 at 1:37 PM

Hi Mr. Peak,

I hope you are well. I just left you a voicemail. Please reach out either via email or phone at (631) 356-2082 when you have a moment to provide us with an update on UPS' responses to Fortitude Health's subpoena. Thank you very much.

Meg Abner



Law Offices of Michael D. Steger, PC

295 Madison Avenue, 22<sup>nd</sup> Floor

New York, NY 10017  
(646) 517-0600

30 Ramland Road, Suite 201

Orangeburg, NY 10962  
(845) 359-4600

(845) 638-2707 (fax)

[mabner@steger-law.com](mailto:mabner@steger-law.com)

[www.steger-law.com](http://www.steger-law.com)

[Quoted text hidden]

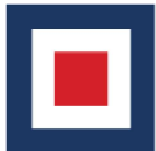
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**Peak, Jonathan R.** <JPeak@wwhgd.com>  
To: Megan Abner <mabner@steger-law.com>  
Cc: "Michael D. Steger" <msteger@steger-law.com>

Fri, Aug 11, 2023 at 1:50 PM

Mike and Meg: Thanks for reaching out. I'm tied up today, but can we schedule a time to talk next week? I'm fairly open on Monday.

Sent from my iPhone



**2022 LITIGATION  
DEPARTMENT OF THE YEAR**  
**ALM DAILY REPORT**  
2020 2019 2018 2017 2016 2014

Jonathan R. Peak, Attorney

**Weinberg Wheeler Hudgins Gunn & Dial**

[3344 Peachtree Road NE | Suite 2400 | Atlanta, GA 30326](#)

D: 404.832.9565 | F: 404.875.9433

[www.wwhgd.com](http://www.wwhgd.com) | vCard

On Aug 11, 2023, at 1:37 PM, Megan Abner <[mabner@steger-law.com](mailto:mabner@steger-law.com)> wrote:

---

**This Message originated outside your organization.**

Hi Mr. Peak,



[Quoted text hidden]

[Quoted text hidden]

The information contained in this message may contain privileged client confidential information. If you have received this message in error, please delete it and any copies immediately.

---

**Megan Abner** <mabner@steger-law.com>  
To: "Peak, Jonathan R." <JPeak@wwhgd.com>  
Cc: "Michael D. Steger" <msteger@steger-law.com>

Tue, Aug 15, 2023 at 10:09 AM

Hi Jonathan,

Good Morning. Do you have any availability to speak today? Whenever is convenient for you.

Thank you,

Meg Abner

Law Offices of Michael D. Steger, PC

295 Madison Avenue, 22<sup>nd</sup> Floor

New York, NY 10017  
(646) 517-0600

30 Ramland Road, Suite 201

Orangeburg, NY 10962  
(845) 359-4600

(845) 638-2707 (fax)

[mabner@steger-law.com](mailto:mabner@steger-law.com)

[www.steger-law.com](http://www.steger-law.com)

[Quoted text hidden]

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**Megan Abner** <mabner@steger-law.com>  
To: "Peak, Jonathan R." <JPeak@wwhgd.com>  
Cc: "Michael D. Steger" <msteger@steger-law.com>

Thu, Aug 24, 2023 at 6:05 PM

Hi Jonathan,

It seems I've missed you at the end of your day. Please pencil us in to speak any time after 10:30 AM on Monday. As we're sure you are aware, UPS' responses and production in connection with Fortitude Health's subpoena are more than three weeks overdue. Please ensure that we are provided with UPS' substantive response no later than August 31 to avoid the need to seek an order to compel.

Thank you for your understanding in this matter, and I hope you have a great weekend.

Best,

Meg Abner



Law Offices of Michael D. Steger, PC

295 Madison Avenue, 22<sup>nd</sup> Floor

New York, NY 10017  
(646) 517-0600

30 Ramland Road, Suite 201

Orangeburg, NY 10962  
(845) 359-4600

(845) 638-2707 (fax)

[mabner@steger-law.com](mailto:mabner@steger-law.com)

[www.steger-law.com](http://www.steger-law.com)

[Quoted text hidden]

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**Megan Abner** <mabner@steger-law.com>  
To: "Peak, Jonathan R." <JPeak@wwhgd.com>  
Cc: "Michael D. Steger" <msteger@steger-law.com>

Tue, Aug 29, 2023 at 4:11 PM

Hi Jonathan,

Following up again with you on this matter. Please indicate whether and when we can expect UPS's response to Fortitude's Health's subpoena, and whether you are authorized to accept service of a motion to compel on behalf of UPS. Thank you.

Sincerely,

Meg Abner

Law Offices of Michael D. Steger, PC

295 Madison Avenue, 22<sup>nd</sup> Floor

New York, NY 10017  
(646) 517-0600

30 Ramland Road, Suite 201

Orangeburg, NY 10962  
(845) 359-4600

(845) 638-2707 (fax)

[mabner@steger-law.com](mailto:mabner@steger-law.com)

[www.steger-law.com](http://www.steger-law.com)

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